



Entered on Docket  
July 27, 2007

A handwritten signature in black ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle  
United States Bankruptcy Judge

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Electronically Filed:  
July 26, 2007

and

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**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:	)	Case No. BK-S-06-10725 LBR
USA COMMERCIAL MORTGAGE COMPANY,	)	Case No. BK-S-06-10726 LBR
Debtor.	)	Case No. BK-S-06-10727 LBR
In re:	)	Case No. BK-S-06-10728 LBR
USA CAPITAL REALTY ADVISORS, LLC	)	Case No. BK-S-06-10729 LBR
Debtor.	)	
In re:	)	Chapter 11
USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,	)	
Debtor.	)	Jointly Administered Under
In re:	)	Case No. BK-S-06-10725 LBR
USA CAPITAL FIRST TRUST DEED FUND, LLC,	)	

\* Admitted *pro hac vice*.

	Debtor.	)	
In re:		)	Hearing Date: N/A
USA SECURITIES, LLC		)	Hearing Time: N/A
	Debtor.	)	

**STIPULATION AND ORDER FOR WITHDRAWAL OF PROOFS OF CLAIM FILED  
BY PBGC AGAINST USA SECURITIES, LLC**

1. On November 9, 2006, the Pension Benefit Guaranty Corporation (“PBGC”) filed three proofs of claim against USA Securities, LLC (“USA Securities”) in the USA Securities bankruptcy case asserting claims on various grounds, designated on the claims register as claim numbers 24-1, 25-1, and 26-1 (the “PBGC original claims”).

2. On or about March 2, 2007, USA Securities filed an objection to the PBGC original claims.

3. On April 23, 2007, the Court entered a stipulated order (docket # 3521) providing that the PBGC’s amended claims should be filed by April 23, 2007, and that the PBGC was not required to file a response to the objections to the PBGC original claims.

4. On April 23, 2007, PBGC filed three amended proofs of claim against USA Securities, designated on the claims register as claim numbers 24-2, 25-2, and 26-2 (the “PBGC amended claims”) (together with the PBGC original claims, the “PBGC claims”).

5. On or about June 29, 2007, USA Securities filed objections to the PBGC amended claims (docket # 4080, 4081, 4082).

6. On or about June 29, 2007, USA Securities filed a Declaration of Thomas J. Allison in Support of USA Securities, LLC’s Objection to Amended Proofs of Claim 24-2, 25-2, and 26-2 Filed by the Pension Benefit Guaranty Corporation (the “Allison Declaration”).

7. Based in part on the Allison Declaration and on additional documentation and

information USA Securities has recently provided to the PBGC, the PBGC has agreed to withdraw the PBGC claims against USA Securities.

8. This stipulation shall not affect PBGC's claims against the other debtors in this jointly-administered proceeding.

WHEREFORE, based on the stipulation set forth above, the parties hereby agree, and request that the Court approve this stipulation as an order of the Court pursuant to Fed. R. Bankr. P. 3006, as follows:

1. The PBGC claims against USA Securities, LLC are hereby withdrawn with prejudice.

2. The withdrawal of the PBGC claims against USA Securities, LLC shall have no effect on PBGC's claims against any other debtors in this jointly-administered proceeding.

Dated this 26 day of July, 2007.

PENSION BENEFIT GUARANTY CORPORATION

By: /s/ Erika E. Barnes  
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By: /s/ Jeannette E. McPherson  
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*Attorneys for USA Securities, LLC*

**IT IS SO ORDERED**

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